

**PLANNING COMMISSION MINUTES OF JULY 25, 2005**

**2005-0168** – Application for a Design Review on a 11,174 square-foot site to allow a new 4,307 square-foot two-story home where a maximum of 4,050 square feet is allowed without Planning Commission review. The property is located at **1592 Wright Avenue** (near Helena Dr) in an R-1 (Low Density Residential) Zoning District. (APN: 320-18-087) RK

**Ryan Kuchenig**, Assistant Planner, presented the staff report. The proposed project is a new 4,307 sq. ft. two-story home. The existing layout is a one-story home set back a considerable distance from the front property line. The proposed new home will be positioned much closer to the street and similar to other homes in the neighborhood. The second-story portion of the home will be set back an additional 12 ft. from the first story. All other setbacks are met including an increased side yard along the right side and rear yard. The neighborhood is comprised of predominately one-story homes and the proposed floor area home would be considerably larger than most of the nearby homes. Condition of Approval (COA) 1.E. requires that the floor area of the home not exceed 3,800 sq. ft., including the garage area. The reduction of approximately 500 sq. ft. would enable a reduced scale for the new home and be more compatible with the surrounding development. COA 1.F. requires that the second floor area shall not exceed 35% of the overall floor area of the first story, including the garage. The Planning staff received letters from nearby residents concerned with size, window placement and neighborhood compatibility of the project. The applicant has redesigned some of the elements of the project including reducing the height and modifying second-story window placement. Staff was able to make the findings and recommends approval of the Design Review subject to the COAs that do require further modifications to make the development more compatible with the neighborhood.

**Comm. Fussell** asked staff for clarification of the location of the “bathroom window that lies 16 ft. away from the property line,” mentioned in Attachment A. Mr. Kuchenig referred to Attachment C page 2 and said that it is the window towards the back that is the closest window on the right side.

**Comm. Sulser** asked how close the subject property is to the part of Wright Avenue governed by the Single-story Combining District. Mr. Kuchenig said one block.

**Comm. Babcock** asked if staff knows how many large lots are located in the City. Trudi Ryan, Planning Officer, said there are a number of large lots on cul-de-sacs. Large lots in the middle of a street section, like this lot, are rare, but she guessed that there may be about 20 lots. There are probably only a total of a couple hundred lots greater than 12,000 sq. ft. in the City and most of those are on a cul-de-sac or a curve. Comm. Babcock said we often get requests for large

houses on 6,000 sq. ft. lots. Here we have a 12,000 sq. ft. lot. She asked what was staff's reasoning for recommending that the applicant not build a 4,000 sq. ft. house on this large lot and to request the house be smaller. Mr. Kuchenig said this was viewed in the context of the neighborhood which is made up of predominately small houses.

**Comm. Moylan** referred to page 2 in the staff report, clarifying that the single-story overlay district that Comm. Sulser asked about starts at the intersection of Helena and Wright and is to the southwest of that corner. This house is one property north of that intersection. Ms. Ryan advised the Planning Commission that a single-story combining district is designed to protect the single-story neighborhood, not to impose restrictions on the nearby residents. Therefore, the neighboring combining district was not factored into the analysis. Staff looked primarily at the properties north of Helena which are of a different architectural style and era of building. Comm. Moylan commented that the large parcel home that inspired the overlay district is the fifth parcel down from that intersection on the west side of Wright.

**Comm. Simons** asked if the report information includes the 500 sq. ft. reduction required in COA 1.E. Mr. Kuchenig said no, that COA 1.E. is a recommended condition. Comm. Simons referred to Attachment C page 3 and asked for clarification on the placement of the largest bedroom window second story, left side. He asked if there were any privacy concerns. Mr. Kuchenig said the only privacy concerns were on the right side to the south. The window that Comm. Simons referred to, staff felt did not need any further reduction in size. Comm. Simons and staff further discussed the unusual lot shape and proximity of the house to the north.

#### **Chair Hungerford opened the public hearing.**

**Grover Sinsley**, owner of the property, gave a history of his long-time involvement, both as a resident and developer in Sunnyvale. He currently is a Saratoga resident, but kept this lot in case they wanted to return to Sunnyvale to a smaller home. If he can get the project approved he hopes to sell the Saratoga property and return to Sunnyvale. He said that the complaint that he keeps hearing is that the plans for the house are too big. He disagrees. He said that it does not make sense to put a \$300,000 house on a \$900,000 lot and that you need to put a nice home on the valuable lot. They have tried to cut down the size of the house and cannot cut much more out. He would like to have a three-car garage as he feels it is needed for the price of home they will end up with. He feels this project will be an asset to the City and to the neighborhood. He would not want to wreck the neighborhood. He said he appreciates the Planning Commission's serious consideration and hopes they like the plans as presented, and would also like to include a three-car garage with it.

**Phil Bernstein**, a neighbor, spoke in support of the project. He said he has been looking at the little house on the lot across the street for 31 years and would like to see this project approved. He said that this will be an improvement to the neighborhood and will boost values in the neighborhood. This house seems to work well on this lot and he is very much in favor of it.

**Michael McGreevy**, a neighbor, said he is concerned about the size of the house. He thought the staff report presented a reasonable compromise, allowing this home to be built, but slightly smaller. He agrees that it would be an asset to the neighborhood unless it is too big, making the neighboring homes look not as good. He said he thinks in the far distant future a lot of the homes in the area will be rebuilt with larger homes. He said his concern is the time between now and then and how we get there. He is concerned about loss of privacy due to the large home, but can deal with that. He believes that the builder has been sensitive and he appreciates that. He is more concerned about preserving and enhancing the character and the value of the neighborhood. He commented that his home is about 1500 sq. ft. and this proposed home is three times that. He would like to see the City enforce limits on square footage and the owner to downsize further from the 3800 sq. ft. He said if the project goes through he looks forward to meeting his new neighbor.

**Comm. Simons** asked Mr. McGreevy if he ever considered for his neighborhood a single-story overlay. Mr. McGreevy asked what a single-story overlay was. Comm. Simons said any area with less than 25% of the homes on any one block has second stories, that the neighborhood can put a cap, preventing the addition of second stories.

**Comm. Babcock** asked Mr. McGreevy what the square footage of his lot was. He said he thinks it is about 1/5 of an acre.

**Chair Hungerford closed the public hearing.**

**Comm. Babcock made a motion for Alternative 2, to approve the Design Review with modified conditions. The modified condition is to eliminate COA 1.E. Comm. Fussell seconded.**

**Comm. Babcock** said she thinks that this is a rare case that we have a large piece of property that can hold this large of a house. This parcel will hold this large home without any deviations as far as setbacks, landscaping, addressed all privacy issues and will be an enhancement to neighborhood. She is pleased to see that this lot will remain a single-family dwelling.

**Comm. Fussell** agrees with Comm. Babcock. He said looking at the lot, if we turn this project down we may be looking at multiple homes going in here which would bring about a whole other set of issues.

**Comm. Moylan** said that the size of the property makes the proposed size of the house not unreasonable, but Attachment E shows that the 4300 sq. ft. of this house would dwarf the other homes in the neighborhood. Even with the staff compromise of reducing the square footage to 3800 sq. ft., this would still be the biggest house in area. Mr. McGreevy made a point that Comm. Moylan would like to rephrase, "If you are going to be the first one in the neighborhood to do it, you have to try to match the neighborhood." He said staff's compromise is a wise one and he fears that if it is not implemented it could cause problems in the neighborhood. He also said that the single-story combining district across the street should be considered in regards to consistency and compatibility with neighborhood. He would have preferred to keep with the staff's compromise and therefore, cannot support the motion.

**Comm. Simons** said he recommends that if this is a problem for the neighbors of this block that even if this project is approved and built that he would encourage them to investigate whether a single-story overlay would be desirable for this block. He added that this is a very large lot and the home size and separation requirements are met. He will be supporting the motion.

**Comm. Klein** said he will not be supporting this motion. He said he understands the applicant's desire for the large house and that the lot size is large to handle a large house. He says he could even see allowing more square footage than what staff suggests, but he has a big issue with the proposed size of this house in this neighborhood.

**Comm. Sulser** said he will not be supporting the motion due to the square footage of the proposed house and the potential incompatibility of the streetscape with the other houses on the street.

**Comm. Babcock** commented that this is a rare opportunity to approve our first estate-size piece of property in Sunnyvale and we should not lose the chance.

**Final Motion:**

**Comm. Babcock made a motion on Item 2005-0168 for Alternative 2, to approve the Design Review with modified conditions; to eliminate Condition of Approval 1.E. which reads "the floor area of the home shall not exceed 3,800 sq. ft. including the garage." Comm. Fussell seconded.**

**Motion carried 4-3, Comm. Klein, Comm. Moylan and Comm. Sulser dissenting.**

**This item is appealable to the City Council no later than August 9, 2005.**